

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT IN
AND FOR BREVARD COUNTY, FLORIDA

CASE NO: 05-2012-CF-035337-AXXX-XX

STATE OF FLORIDA,

ORIGINAL

Plaintiff, Case # 05-2012-CF-035337-AXXX-XX
Document Page # 441

vs.



BRANDON LEE BRADLEY *23131581*

Defendant.

SCOTT ELLIS
2014 JUL 25 P 12:28
FILED IN TVL-01
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BREVARD CO. FL.

VOLUME VIII OF VIII

TRANSCRIPT OF DIGITALLY RECORDED JURY SELECTION

JUDGE: HONORABLE MORGAN REINMAN
DATE TAKEN: February 24, 25, 26, 27, and
March 6, 7, 10, 11, 13, 14, and
17, 2014
PLACE: Moore Justice Center
2825 Judge Fran Jamieson Way
Viera, Florida 32940
REPORTED BY: Diane Lynch
Court Reporter

RYAN REPORTING
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8 Appearing on behalf of the Plaintiff.

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15 2725 Judge Fran Jamieson Way
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17 Appearing on behalf of the Defendant.

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ALSO PRESENT: BRANDON LEE BRADLEY, Defendant

I N D E X

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7	QUESTIONING OF JUROR NUMBER 102	820:18
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1 (Thereupon, the venire was escorted out of the
2 courtroom by the court deputy; thereafter, proceedings
3 were had that were not requested to be transcribed.
4 Following those proceedings, court was in recess.)

5 THE COURT: Let's bring them in.

6 THE COURT DEPUTY: All rise.

7 (Thereupon, the venire was escorted into the
8 courtroom by the court deputy and the proceedings were
9 had as follows:)

10 THE COURT: Please be seated. Okay. Has anyone
11 read or been exposed to reading newspaper headlines
12 and/or articles relating to this trial or its
13 participants?

14 THE PROSPECTIVE JURORS: No.

15 THE COURT: Has anyone seen or heard television,
16 radio, or Internet comments about this trial?

17 THE PROSPECTIVE JURORS: No.

18 THE COURT: Has anyone conducted or been exposed
19 to any research regarding any matters concerning this
20 case?

21 THE PROSPECTIVE JURORS: No.

22 THE COURT: And have you discussed this case
23 among yourselves or with anyone else, or allowed
24 anyone to discuss it in your presence?

25 THE PROSPECTIVE JURORS: No.

1 THE COURT: Okay. Mr. Lanning, you may continue.

2 MR. LANNING: Good afternoon. Juror 102,
3 political affiliation?

4 JUROR NUMBER 102: I'm a Republican.

5 MR. LANNING: Okay. Thank you.

6 (Thereupon, voir dire selection was had which was
7 not requested to be transcribed.)

8 MR. LANNING: Did I miss any other folks on the
9 panel as to spouse's or significant other's
10 occupations? Yes, sir?

11 JUROR NUMBER 5: I'm married. She sells
12 insurance.

13 MR. LANNING: Okay. Anybody else we haven't
14 discussed? (No response).

15 (Thereupon, voir dire selection was had which was
16 not requested to be transcribed.)

17 MR. LANNING: Other than what's already been
18 brought up, has anyone worked in a different field
19 than your current or last employment, or what you put
20 on your sheet? Juror 102, yes, ma'am?

21 JUROR NUMBER 102: I've always been a secretary,
22 but just many different types of companies. I wasn't
23 always a medical secretary. At one point, it was -- I
24 did work for Harris, subcontractors, (unintelligible).
25 I also worked -- and I don't know if I put this on

1 there, I was a secretary for the Highway Patrol
2 probably almost 25, 30 years ago.

3 MR. LANNING: Was that here in Florida?

4 JUROR NUMBER 102: Yeah. I at Turnpike and Trip
5 L down in (unintelligible) County.

6 MR. LANNING: That experience of working in law
7 enforcement --

8 JUROR NUMBER 102: Well, it was a secretarial
9 position, I wasn't actually a law enforcement officer.

10 MR. LANNING: Okay. But you were working with
11 them?

12 JUROR NUMBER 102: Yes.

13 MR. LANNING: Did that experience, do you feel
14 like -- any thoughts on credibility of law enforcement
15 versus credibility of other witnesses?

16 JUROR NUMBER 102: No. That was, like I said, so
17 long ago. Basically, all my job was, if they had a
18 vehicular accident, they would have to diagram it, and
19 especially if there was -- they had to go to court and
20 they had to present, if there was a homicide as a
21 result of the accident, my job was just strictly to
22 type up their notes. That was, you know -- it was
23 totally different than a sheriff's office in many,
24 many ways.

25 MR. LANNING: Okay. Thank you. 105?

1 (Thereupon, voir dire selection was had which was
2 not requested to be transcribed.)

3 MR. LANNING: Now, before lunch, I asked a
4 general question about what, if any, Constitutional
5 rights you would be willing to give up, and I would go
6 into that next thought if -- now, this trial's
7 expected to be a three-week or so event. Suppose
8 there was a computer program that you put all the
9 facts into the program and that program would come up
10 with a 95 percent accuracy rate in the outcome of jury
11 trials. Whether you would favor such a program, give
12 up your right to a jury trial, probably save money.

13 The second factor, in recent years, there's been
14 an issue raised, and it's caused a lot of issues
15 politically for some of our elected leaders, in terms
16 of getting people to give up their right to be free
17 from self-incrimination. I'd like to know, in
18 particular, whether those rights, you think, are too
19 -- just your thoughts. All right?

20 In this case, the three of us will be defending
21 Mr. Bradley. Has anyone here hired an attorney at
22 some point? Anybody for a criminal case? Whether it
23 involved a relative, maybe it may have involved -- or
24 has everybody hired a civil lawyer? I'm sorry, ma'am?

25 UNIDENTIFIED SPEAKER: It was a criminal case for

1 my son.

2 MR. LANNING: Okay. Did you -- were you
3 satisfied with the outcome of that situation?

4 UNIDENTIFIED SPEAKER: Yes, I was.

5 MR. LANNING: How was it resolved?

6 UNIDENTIFIED SPEAKER: Well, it was --

7 MR. LANNING: And by that I mean, was it resolved
8 by way of plea, or trial, was it dropped?

9 UNIDENTIFIED SPEAKER: It was more or less
10 dropped.

11 MR. LANNING: And you have -- what expectations
12 would have of us during the course of this trial? I
13 mean, would you expect us to aggressively defend
14 Mr. Bradley?

15 UNIDENTIFIED SPEAKER: Yes, I do.

16 MR. LANNING: And would you also expect us to act
17 ethically?

18 UNIDENTIFIED SPEAKER: Yes.

19 MR. LANNING: You know, at different times in the
20 course of this, we'll be objecting and going up to the
21 bench, talking to the judge. Do you think that that's
22 an appropriate thing for an attorney to do in a
23 criminal case?

24 UNIDENTIFIED SPEAKER: Yes.

25 MR. LANNING: Anyone believe that the attorneys

1 should not do otherwise (unintelligible) defending
2 their clients? (No response). Now, by the same
3 token, we've been working the case for a couple years,
4 and we all, the State and the defense, know, largely,
5 the issues and facts; so there are going to be times
6 that we won't be objecting because, one, we know
7 there's no reason to. Anybody think there isn't a way
8 these guys -- they're not doing their jobs? Anybody?
9 (No response).

10 The judge read the charging document at the
11 beginning. There are four counts in this case, and
12 they're being tried together, they are related, but
13 they are separate. The homicide, as it's been
14 indicated, will be tried under two different theories
15 of felony murder and premeditated murder. You'll
16 hear, possibly, at some point, that each charge has
17 lesser offenses built into it. And there may be a
18 number of offenses that you'll be instructed on for
19 each charge. For the murder, there may be four
20 separate lower offenses. For the charge of robbery,
21 several possible lower offenses. And so on. Those
22 have to be considered separately.

23 So, Juror 63, if the State proves three of those
24 charges, does that mean that guilt is to all four?

25 JUROR NUMBER 63: No, sir.

1 MR. LANNING: All the charges have to be
2 considered, not just as potential lesser offenses, but
3 itself, standing on its own. 89, any question about
4 that?

5 JUROR NUMBER 89: No.

6 MR. LANNING: Anybody have any questions about
7 that? (No response). The burden of proof rests with
8 the State. They have to prove everything, the defense
9 has to prove nothing. Mr. Bradley, he could sit and
10 do crossword puzzles throughout the course of these
11 proceedings and never take the witness stand, and you
12 would not be able to hold that against him. I heard
13 several people through the course of the last several
14 days, or last few weeks, say, well, there's always two
15 sides to every story.

16 Juror 4, if Brandon Bradley doesn't tell you a
17 story, will you hold that against him in any way?

18 JUROR NUMBER 4: No, sir, I would not.

19 MR. LANNING: Anybody in the pool that wants to
20 hear from Brandon Bradley, or I want to hear -- I'm
21 sorry, but if he doesn't have something to say, then
22 I've just got one choice. Juror 17?

23 JUROR NUMBER 17: It sure would be nice, but I
24 recognize his right not to have to do it. It's not
25 anything I would weigh against him because he didn't.

1 MR. LANNING: Anybody feel like, well, if I don't
2 hear from that man, he's got a real problem. Juror
3 198?

4 JUROR NUMBER 198: If he doesn't speak, then we
5 have to assume that everything that we hear in court
6 is exactly the truth, and weigh out the evidence. He
7 has the right not to.

8 MR. LANNING: And you also understand that the
9 defense may be not be put on through Brandon Bradley,
10 but through the attorneys questioning the prosecution
11 witnesses. And that there may not be any need or
12 basis for him to testify.

13 JUROR NUMBER 198: I understand.

14 MR. LANNING: A jury verdict has to be unanimous,
15 everybody has to agree. That would be not only as to
16 any main offense, but as to lesser-included offenses.
17 Anybody believe that that is a bad system? Juror 116,
18 if --

19 JUROR NUMBER 116: It is what it is.

20 MR. LANNING: What?

21 JUROR NUMBER 116: I mean, if that's what the law
22 says, then that's the way you have to -- you do what
23 the law says.

24 MR. LANNING: All right.

25 JUROR NUMBER 116: It's black and white. I mean,

1 there's no gray area, it's all black and white.

2 MR. LANNING: Well, let's say you find yourself
3 in a situation where, let's say, you're 11-1, and
4 you're the one.

5 JUROR NUMBER 116: Then we would be hung.

6 MR. LANNING: I take it you don't easily change
7 your mind.

8 JUROR NUMBER 116: That is correct.

9 MR. LANNING: You indicated that -- I heard black
10 and white from you a couple of times now, and I
11 believe you also indicated you like to
12 (unintelligible).

13 JUROR NUMBER 116: Correct.

14 MR. LANNING: Is it always black and white in
15 your view?

16 JUROR NUMBER 116: I can get it there.

17 MR. LANNING: You can get it there?

18 JUROR NUMBER 116: Yeah.

19 MR. LANNING: Now, let's say you get back into
20 the jury room, and you're with Juror 88, things to him
21 may be a little more gray, how are you going to handle
22 that?

23 JUROR NUMBER 116: The jury is going to have a
24 job to do.

25 MR. LANNING: Right.

1 JUROR NUMBER 116: So we're going to sit back in
2 that room, and we're going to argue and fight about
3 what we believe the facts are, we're going to come to
4 our own conclusions, we're going to vote, and it is
5 what it is. Like I said, I'm pretty hard to change my
6 mind.

7 MR. LANNING: Now, when you say "fight" --

8 JUROR NUMBER 116: Yeah, it's not going to be
9 fisticuffs. I'm too old for that crap.

10 MR. LANNING: Okay. And did I hear "yelling," or
11 no?

12 JUROR NUMBER 116: Say it again?

13 MR. LANNING: Did I hear "yelling"?

14 JUROR NUMBER 116: Yeah.

15 MR. LANNING: Okay. Well, if you -- do you ever
16 find yourself in a "damn if I know" situation?

17 JUROR NUMBER 116: Yes.

18 MR. LANNING: How do you handle that?

19 JUROR NUMBER 116: You evaluate the facts and
20 make the best decision that you can make. But you
21 make a decision.

22 MR. LANNING: So if it comes down to, damn if
23 know if he's guilty --

24 JUROR NUMBER 116: Then that's reasonable doubt,
25 and then the answer has to be that it's reasonable

1 doubt.

2 MR. LANNING: What if it's, I've got a big
3 feeling he's guilty?

4 JUROR NUMBER 116: A big feeling? These are all
5 hypotheticals.

6 MR. LANNING: Yes, sir, it is.

7 JUROR NUMBER 116: I'm telling you that I'm going
8 to evaluate this case based on the facts, and I will
9 come to a decision based on the facts. I'm not
10 wishy-washy, I'm not -- you know, hold my hand, I'm
11 going to look at the facts, and where the facts take
12 me is where my decision will come from.

13 MR. LANNING: All right. Juror 88, now, are you
14 going to be able to go into a jury room with 116 and
15 look at him and say, you got your facts and I got
16 mine, pal?

17 JUROR NUMBER 88: I'm not scared.

18 MR. LANNING: You got any doubt about your
19 ability to do that?

20 JUROR NUMBER 88: No.

21 MR. LANNING: Anybody on the panel feel like they
22 would have a problem bumping heads with 116? (No
23 response). The prosecutor brought up your good
24 contact with a law enforcement officer versus a little
25 bit of a negative situation with an officer. Other

1 than what was discussed in the courtroom, has anyone
2 had what you consider to be a significant contact with
3 a law enforcement officer? And it doesn't have to be
4 negative or positive, but a law enforcement officer in
5 their capacity as a law enforcement officer. You
6 might have called 911, a friend of yours, other than
7 socially. Left side? 17?

8 JUROR NUMBER 17: It was several years ago, my
9 stepson all of a sudden appeared with a stereo, and we
10 had no idea how he got it. We questioned him, we
11 found out he and a friend of his had broken into a car
12 and stolen it. So, basically, we pointed to the
13 phone, told him to call the police and tell them what
14 you did, which he did. Because he did that, I think
15 the law enforcement was very reasonable with him. He
16 basically just got some probation, or whatever it was.
17 I think they treated him nice and treated him fair
18 under the circumstances. They could have been a lot
19 harder on him.

20 MR. LANNING: I'm going to go ahead and take you
21 out of turn, what do think about giving up your right
22 against self-incrimination?

23 JUROR NUMBER 17: Oh, I believe in that, I
24 wouldn't give it up. Even here sometimes, when you're
25 questioning, it's like, if you could question certain

1 things in the background of whatever, but I might not
2 want to tell you because they would be -- you know,
3 back when I was in college, I may have done some
4 things I'm not real proud of, I wouldn't want to tell
5 you that.

6 MR. LANNING: Do you see the irony in terms of
7 telling the kid, you go call them and tell them what
8 you did?

9 JUROR NUMBER 17: I figured it was more good
10 parenting. He didn't have to.

11 MR. LANNING: Right. You gave him that choice.

12 JUROR NUMBER 17: Yeah. And I'm not sure what
13 decision I would have made if he had decided not to.
14 Thank goodness it didn't come to that.

15 MR. LANNING: Left side of the room, significant
16 contact with a law enforcement officer? (No
17 response). Right side of the room? (No response).

18 MR. MOORE: I see a hand, Mark.

19 MR. LANNING: Yes? Number 105?

20 JUROR NUMBER 105: It's amazing how this process,
21 the things that you've brought up, I'm not sure -- I
22 guess it would be significant, but I had a friend who
23 was stealing stuff out of people's garages, and we had
24 ended up with some stolen CD's and whatnot; and
25 through the course of the investigation, me and my

1 brother had been interviewed (unintelligible) and we
2 turned over everything that we had been given. And
3 there was a time, I might have been five or six, when
4 my little brother disappeared, and the police
5 department took great effort to find him. He ended up
6 just hiding in our garage.

7 MR. LANNING: Thank you. And nobody on the
8 right. How many smokers? How many of the group made
9 an effort to quit? How many times have you tried to
10 quit? 16?

11 JUROR NUMBER 16: I thought you meant 16 -- you
12 were asking me if it's been 16 times that I've tried
13 to quit, and I'm thinking yeah.

14 MR. LANNING: Juror 63, how about you?

15 JUROR NUMBER 63: I think I've tried to quit four
16 or five times.

17 MR. LANNING: 36?

18 JUROR NUMBER 36: Four or five times.

19 MR. LANNING: Okay. You can't have been smoking
20 too long. Number 5?

21 JUROR NUMBER 5: Probably two or three.

22 MR. LANNING: Juror 16, would you consider it an
23 addiction?

24 JUROR NUMBER 16: Oh, most definitely.

25 MR. LANNING: Anybody that would not consider

1 cigarette smoking an addiction? Yes, ma'am?

2 UNIDENTIFIED SPEAKER: I don't consider it an
3 addiction because --

4 MR. LANNING: Have you ever smoked?

5 UNIDENTIFIED SPEAKER: I did, but it wasn't hard
6 for me to stop. So I don't consider it an addiction.

7 MR. LANNING: How long did you smoke?

8 UNIDENTIFIED SPEAKER: Couple years.

9 MR. LANNING: Yes?

10 UNIDENTIFIED SPEAKER: I smoked for 35 years, but
11 when it gave me a quadruple bypass, I quit.

12 MR. LANNING: Did you have issues leading up to
13 that bypass?

14 UNIDENTIFIED SPEAKER: No.

15 MR. LANNING: Never had an issue. Yes, sir?

16 UNIDENTIFIED SPEAKER: I also smoked a couple of
17 years, and I didn't find it addictive. I just
18 stopped. One day I was at a bar where you sit at the
19 counter, and I was (unintelligible). And I was
20 smoking it in the bar, and I had friends who asked for
21 a cigarette, and I was only able to come up with one,
22 and I see a guy put one in his pocket and in his
23 mouth. I dropped the one that I get back and crush
24 it, and I never smoked again.

25 MR. LANNING: So some in the panel were able to

1 quit cold turkey, no problem; some in the panel have
2 tried numerous times. And some either don't want to,
3 or know the likelihood of a habit.

4 Anyone here ever taken Xanax? I think,
5 generally, it's prescribed for anxiety. Left side of
6 the room? Couple of hands. Was it a short-term
7 thing?

8 UNIDENTIFIED SPEAKER: Yes.

9 MR. LANNING: What about you? Was it short-term?

10 UNIDENTIFIED SPEAKER: No, sir. I just take --
11 it's not Xanax, it's a drug that, I guess, is in the
12 same family. I've had problems with back aches, and
13 I've been taking them now for the past
14 (unintelligible) years.

15 MR. LANNING: I presume you take it the way it's
16 prescribed to you?

17 UNIDENTIFIED SPEAKER: Oh, of course. Yeah.

18 MR. LANNING: Okay. Is it -- from the inserts,
19 is it habit-forming? From looking at the inserts? Do
20 you know if it's habit-forming?

21 UNIDENTIFIED SPEAKER: If I had to stop taking
22 it, I would miss it. It's a drug that I've been told,
23 if the doctor cares to take you off of it, they take
24 you -- they wean you off of it.

25 MR. LANNING: All right. Any members of the

1 panel that are familiar with the term Ecstasy? It's a
2 drug. Anyone? Marijuana? Magic mushrooms? Cocaine?
3 Codeine?

4 Now, has anyone ever -- I'll go ahead and ask,
5 has anyone ever used any of those substances? No, I'm
6 not going to ask (unintelligible). I suspect the
7 statute of limitations has already passed. Left side
8 of the room? Right side of the room? Statute might
9 not have passed for some of them.

10 Anyone on the panel found their children under
11 the influence of narcotics? May I ask how you handled
12 it, and did it work out.

13 UNIDENTIFIED SPEAKER: I didn't handle it very
14 well. Of course, she was an adult at that time, so
15 she (unintelligible). And it just kind of
16 (unintelligible).

17 MR. LANNING: And is it resolved?

18 UNIDENTIFIED SPEAKER: Yes.

19 MR. LANNING: Was the treatment successful?

20 UNIDENTIFIED SPEAKER: Well, besides my
21 pocketbook, yes.

22 MR. LANNING: All right. Yes, ma'am, 89?

23 JUROR NUMBER 89: My son started drinking,
24 smoking, shrooms, everything you just named, from
25 about 15 to 20, something like that; and I made him

1 move away from New Mexico, where he was at that time,
2 and he moved to Seattle, where his father was. Just
3 breaking that cycle of friendships, that circle of
4 friends he had, allowed him to finally get clean and
5 sober.

6 MR. LANNING: Did you ever find him in a state
7 where he was under the influence?

8 JUROR NUMBER 89: Yes, I did.

9 MR. LANNING: 14?

10 JUROR NUMBER 14: My son, crack cocaine. He's
11 the one who I have his kids.

12 MR. LANNING: I'm sorry?

13 JUROR NUMBER 14: He's the one whose kids I have.

14 MR. LANNING: Okay. Did his situation -- I mean,
15 did he not succeed in treatment, or --

16 JUROR NUMBER 14: He went to Orlando, and he
17 lived there for five months. He did great when he was
18 there. He came back here, and he went back to it
19 again, and been ever since.

20 MR. LANNING: Left side here? Yes, sir, Juror
21 107?

22 JUROR NUMBER 107: Well, I had mentioned last
23 week that my daughter got hooked on prescription
24 pills, and she was having problems with her marriage.
25 She had flown out to Florida for a weekend and told my

1 wife that she was hooked on all these pills. And we
2 wanted to take her to the hospital, and she told me
3 she didn't want to live anymore and she was having
4 problems with her marriage; and the doctor Baker Acted
5 her and she went away for three months. She's doing
6 fine today. She goes to see a counselor every week,
7 but her marriage is really -- they're going through a
8 divorce, and he took my granddaughter away. So right
9 now she's having to battle him back and forth, trying
10 to get my granddaughter back.

11 MR. LANNING: Any hands on that side? Yes, sir?

12 UNIDENTIFIED SPEAKER: It wasn't illegal drug
13 use, it was prescription medication. Alcohol and
14 prescription. She's been Baker Acted numerous times,
15 she's been to rehab numerous times, and she can't get
16 it together.

17 MR. LANNING: May I ask how the prescription
18 medication started? Was it --

19 UNIDENTIFIED SPEAKER: Yeah. I screwed up, and I
20 took her to college. She was going to be in nursing,
21 and she learned all about the medicine, and now she
22 self-prescribes her -- she knows what she wants, she
23 goes to the doctor and convinces them that she needs
24 it, and then she mixes and matches her drugs the way
25 she wants to.

1 MR. LANNING: You ever found her in a state where
2 she was under the influence?

3 UNIDENTIFIED SPEAKER: Yeah. Tried to Baker Act
4 her. Taken her home a couple times. Called the
5 deputy, Sheriff's Department, a couple times.

6 MR. LANNING: Okay. Now, this case is,
7 ultimately -- you may hear evidence that Brandon
8 Bradley was, as well as Michelle Kerchner, were using
9 a lot of substances that I spoke of at the time. And
10 folks that may have seen your children under the
11 influence, and you've gone through some of that
12 experience, can everyone assure me that they'll
13 consider this case on its own merits, or do you think
14 that you might carry that experience back into the
15 jury room and hold it against Brandon Bradley, what
16 your children may have put you through? Anybody think
17 that they might have issues with being able to do
18 that? I see no hands.

19 I may be wrong, but, Juror 17, did you indicate
20 that you have worked with the husband of Deputy Pill?

21 JUROR NUMBER 17: I work at the same company.

22 MR. LANNING: What company we talking?

23 JUROR NUMBER 17: AT&T.

24 MR. LANNING: Was it a large unit?

25 JUROR NUMBER 17: He worked in a different

1 location than I did. I recognized him by sight.

2 MR. LANNING: Did you see him frequently?

3 JUROR NUMBER 17: Whenever we would have company
4 meetings, which would maybe be once a year. At the
5 time, I didn't know his name. I had heard his name
6 was Steve and that he retired. About six months ago,
7 we had a retiree breakfast down in Sebastian, and near
8 the end of the breakfast, the guy sitting next to me I
9 didn't really know, and it turned out to be him. I
10 didn't even suspect it was him, didn't even normally
11 make that much conversation with him until near the
12 end of the breakfast when someone referred to him as
13 Steve. We had carpooled to Sebastian, and on the way
14 back they did tell me that was him.

15 MR. LANNING: Okay. There are a handful of times
16 in my career that I felt concerned enough to bring up
17 race in jury selection. In this case, Brandon Bradley
18 is obviously a very dark skinned African American.
19 Deputy Pill was very obviously a white Caucasian
20 American woman. Mr. Bradley, as you'll learn, if you
21 don't already know, was dating Andria Kerchner, who
22 appeared (unintelligible), and maybe some other female
23 witnesses that knew Mr. Bradley that you may hear
24 from, who are also white. Ms. Kerchner's a white
25 female, other females that dated Mr. Bradley are white

1 also.

2 I know that -- I like to think, I grew up in the
3 south, that we've come a long way. But I also know
4 that, you know, within the last few years, we've had
5 the incident with Paula Deen, the cooking chef, and
6 her term that she had used in years past. It hurt her
7 financially, but I understand she's maybe making a
8 comeback. It sounds like her restaurant kept a good
9 following. We've got the incident with the gentleman
10 from Satellite Beach, charged with killing the young
11 black male up in Jacksonville over loud music, thug
12 music, as was the testimony that came out. We have
13 the Zimmerman case.

14 I like to ask when it's an important enough
15 issue, and I'm going to go around. Juror Number 13,
16 where do you think we are here in Brevard in terms of
17 race relations?

18 JUROR NUMBER 13: Brevard/Indian River County,
19 because that's where I live, is highly racist.

20 MR. LANNING: Indian River County, or Brevard, or
21 both?

22 JUROR NUMBER 13: I think a lot in Indian River
23 County. I'd say some in Brevard, yes. I hear the
24 wrong word too many times.

25 MR. LANNING: And you work in what city?

1 JUROR NUMBER 13: (Unintelligible).

2 MR. LANNING: Okay. So you hear it for
3 (unintelligible). Do you have any issues with giving
4 Mr. Bradley a fair trial?

5 JUROR NUMBER 13: Yes.

6 MR. LANNING: So are you saying, yes, I do have
7 concerns, or, no, I don't.

8 JUROR NUMBER 13: No, I don't have a concern.

9 MR. LANNING: Juror 11, where do you think we
10 stand here?

11 JUROR NUMBER 11: I think we're in pretty good
12 shape, honestly. But I don't get out much, I don't
13 socialize but with a few very select people. The
14 issues never come up.

15 MR. LANNING: Juror 5, where do you think we
16 stand?

17 JUROR NUMBER 5: I think it's pretty split up,
18 racists versus nonracists.

19 MR. LANNING: You say split up in terms of --

20 JUROR NUMBER 5: Yeah, on both sides. Or on all
21 sides, for that matter.

22 MR. LANNING: All right.

23 JUROR NUMBER 5: I know a lot of my people that I
24 hang out with, they're one-sided. Myself and my
25 family try not to -- I try (unintelligible). But,

1 like I said, the people I hang out with are one-sided.
2 I wouldn't say hang out with, let's just say my
3 buddies. Like he said, you hear the wrong word too
4 many times.

5 MR. LANNING: Okay. And when you say
6 "one-sided," do you mean that some of the folks that
7 you socialize with are --

8 JUROR NUMBER 5: (Unintelligible).

9 MR. LANNING: There's at least some negativity
10 amongst your friends toward the black race?

11 JUROR NUMBER 5: Yeah. (Unintelligible).

12 MR. LANNING: Okay. All right. From your
13 perspective, do you have any issue that you can give
14 Brandon Bradley a fair trial?

15 JUROR NUMBER 5: No.

16 MR. LANNING: Number 4, where do we stand in
17 Brevard, or Titusville?

18 JUROR NUMBER 4: Well, I must admit, I don't see
19 much racism, or notice it. I'm sure there are people
20 who are racist, I'm sure of that, but I don't see
21 that, I don't know anyone who is. The people that I
22 associate with socially, I can tell you are not that
23 way. And the people that I work with for 22 years, I
24 don't see that. Perhaps it's the corporate
25 environment that I work in, but I work with whites, I

1 work with blacks, and we all get along fine.

2 MR. LANNING: Juror 1? You've only been here a
3 few years, right?

4 JUROR NUMBER 1: Yes. So I haven't noticed, or
5 been around, anybody that is racist. I'm not racist,
6 I have some really great friends that are black. And
7 I was brought up that everybody's equal. But when I
8 did go to Wilmington, North Carolina, I felt of a
9 different person there, I felt like they're still
10 fighting a little Civil War. And it was always
11 mentioned to me, oh, you're from the north of the
12 Mason-Dixon line. But I've only been here a short
13 time, and I haven't noticed any.

14 MR. LANNING: Juror 14? Where do you think we
15 stand here in Brevard?

16 JUROR NUMBER 14: I've been here since I was nine
17 years old, and from that time to here, there's a lot
18 of change that's gone on. A lot.

19 MR. LANNING: Hopefully mostly for the positive.

20 JUROR NUMBER 14: Yes, sir. People I know,
21 people I hang around with, have known, or have worked
22 with, they all -- they don't see color.

23 MR. LANNING: Now, you spent most of your career
24 out at the Space Center, right?

25 JUROR NUMBER 14: Most of it, yes.

1 MR. LANNING: Among your friends, anyone ever
2 discussed being treated poorly or --

3 JUROR NUMBER 14: Like I said, most of them have
4 no (unintelligible). I'm a homebody person, I don't
5 talk to a bunch of people, I don't go out a lot.

6 MR. LANNING: Did your spouse ever see any issues
7 within the insurance field?

8 JUROR NUMBER 14: She never talked about it if
9 she did.

10 MR. LANNING: Okay. 16, what about you?

11 JUROR NUMBER 16: I don't see much of from day to
12 day, but I know it exists. I just think it's gone
13 behind doors a little bit. That's just my personal
14 opinion.

15 MR. LANNING: Any issue in your mind whether you
16 can --

17 JUROR NUMBER 16: No, I work at a multicultural
18 company. We have people from all over the world.

19 MR. LANNING: Number 17?

20 JUROR NUMBER 17: I think we made a lot or
21 progress from -- I guess my father was a racist back
22 in the '50s and '60s, but (unintelligible) black males
23 and white females that were friends of mine. Not
24 presently, because most of them moved away, but --

25 MR. LANNING: Juror 29, you've done a lot of

1 traveling, but that was in the military; did you see
2 any issues in your military career?

3 JUROR NUMBER 29: Well, back in the early '70s,
4 yes. The military's made great strides and progress
5 over the years. So has society. Since I was a kid on
6 the Air Force base in '62, I remember separate
7 drinking fountains; and society's made a lot of
8 progress, yes.

9 MR. LANNING: How are we here in Brevard?

10 JUROR NUMBER 29: In my world, we're fine. I
11 mean, I have no problems in my world.

12 MR. LANNING: Has --

13 JUROR NUMBER 29: And when I say my world, the
14 people I hang around and socialize with. It's a very
15 diverse group, and it's -- I don't have a problem with
16 all that.

17 MR. LANNING: Thank you. 36, what about you?

18 JUROR NUMBER 36: I would be with him. In my
19 world, it's not an issue. (Unintelligible).

20 MR. LANNING: 89?

21 JUROR NUMBER 89: Well, my family is made up of
22 black, white, Puerto Rican, and Indian, so I show no
23 racism. Also, my stepson's mother's white, so I teach
24 my kids not to be racist. But I do know that I came
25 here in '94 at age 14, and I noticed racism was way

1 bigger here than it was in Daytona. It was way worse
2 in Brevard County.

3 MR. LANNING: What would you attribute it to?

4 JUROR NUMBER 89: Well, I know at school, in high
5 school, they would have black versus white. I wasn't
6 exposed to that in Daytona. I was exposed to that
7 when I got here, and I had never seen that before.
8 But I noticed a lot of that going on. Not just at
9 school but outside of school, at functions on the
10 weekends and everything.

11 MR. LANNING: Well, living here in Brevard, have
12 you ever felt victimized in any way because of your
13 race?

14 JUROR NUMBER 89: Once I did.

15 MR. LANNING: Do you mind if I ask what for?

16 JUROR NUMBER 89: The police had one of my
17 friends pulled over, and I wanted to see what was
18 going on, I pulled up behind -- two houses down from
19 where we were. And the police walked up to my car
20 just because I had tint, so they didn't know who was
21 driving. And once he seen that it was me and my four
22 kids, he kind of -- at first he was real snippy, and
23 once he realized it was a female and four kids, he
24 kind of calmed down and gave me a citation, but didn't
25 show up to the hearing. So it was thrown out.

1 MR. LANNING: It's nice when they don't show up.

2 88?

3 JUROR NUMBER 88: I haven't been in Brevard
4 County long enough really to notice an issue, but I
5 live in Cocoa Beach and, you know, it's not the
6 biggest melting pot in the world.

7 MR. LANNING: In the places that you have lived,
8 were you (unintelligible)?

9 JUROR NUMBER 88: Yes. I worked for Los Alamos
10 National Laboratory up in northern New Mexico, it is a
11 huge influx of melting pot, mixed races of all kinds.
12 All of my children have dated mixed race people. Some
13 have -- one is engaged to one, a Vietnamese American.
14 So they didn't learn what I learned in the '60s,
15 growing up in Washington state, eastern Washington
16 State. It was not a big melting pot either. So
17 through 20 years in New Mexico, I was grateful to have
18 my children raised in that kind of atmosphere. Plus,
19 I'm not 100 percent white myself. I have Native
20 American in me, and there are rumors of black people
21 in our ancient history. So I don't believe I'm
22 completely vanilla either.

23 MR. LANNING: Well, I suspect none of us are,
24 frankly. 87, where are we in Brevard in terms of race
25 relations?

1 JUROR NUMBER 87: Well, I haven't really seen --
2 I'm only 22, so I haven't seen a change. Ever since
3 I've been born, it's all been the same to me, no
4 problems. I went to middle school in a mostly all
5 black school.

6 MR. LANNING: Rockledge High?

7 JUROR NUMBER 87: No. I went to Edgewood.

8 MR. LANNING: Okay.

9 JUROR NUMBER 87: But my mother was engaged to a
10 man from Trinidad, before he passed away. So I lived
11 with a black man for a year and a half.

12 MR. LANNING: 85?

13 JUROR NUMBER 85: I think there's still racism,
14 but it's everywhere. Brevard County has probably
15 gotten a little better than it used to be back in the
16 '60's. Some of my best friends are different races,
17 and I have no -- it's about what's inside, not
18 outside.

19 MR. LANNING: Juror 82?

20 JUROR NUMBER 82: Working with the mentally
21 challenged individuals, they see no color, so we're
22 all one. Some of my best friends are mixed couples.
23 I think Brevard has come a long way.

24 MR. LANNING: Number 65?

25 JUROR NUMBER 65: Since I moved here, I don't

1 really see much of a difference. I know in New York I
2 did see a lot there. But as soon as I'm here, most of
3 my neighbors around me are all white, and they are in
4 my house, the kids -- my neighbor to the right of me
5 has four beautiful girls, and every time I hear
6 something beeping, that's my sign to tell me when
7 somebody's anywhere in the front of the house; and I
8 look and I see the girls in the garden planting
9 flowers. So I don't have any problem down here. But
10 New York was rough.

11 MR. LANNING: Juror 63?

12 JUROR NUMBER 63: I lived in Brevard County the
13 majority of my life, but I don't even think I've ever
14 been exposed to racism. My daughter's best friend in
15 first grade was a little black girl, she spent more
16 time over at their house than they did my house. I
17 have mixed race friends, like mixed race co-workers.
18 I have biracial nephew. Like I said, in all the years
19 I've lived here, I've never really seen or felt that I
20 was raised that way. So maybe that's why I don't see
21 it.

22 MR. LANNING: Thank you. Juror 93, where do you
23 think we stand here in Brevard in terms of race
24 relations?

25 JUROR NUMBER 93: (Unintelligible) a lot better

1 than they were in Detroit, Michigan, and the riots in
2 1967. (Unintelligible).

3 MR. LANNING: Juror 102?

4 JUROR NUMBER 102: I have to say Brevard County
5 is probably better than Palm Beach County.

6 (Unintelligible). You don't see it now, you really
7 don't. I work in a large company (unintelligible),
8 and you don't see somebody else's race. It's who we
9 are, we're people. Between my husband and I, we're
10 seven nationalities. My daughter's best friend, I
11 wouldn't say she's multiracial, but I know for a fact
12 she's (unintelligible). But they're like this,
13 they're best friends. So I really don't see it.

14 MR. LANNING: Thank you. Juror 105?

15 JUROR NUMBER 105: I, myself, growing up as part
16 of a military family, working out at the Space Center
17 now, through my construction work, you work with all
18 types of people, different colors. So as far as I'm
19 concerned, I have no issue with race. I do believe
20 there's some areas here in Brevard County where,
21 depending on the color of your skin, it's not a good
22 idea to go into. Small patches of old school thought,
23 I guess you could say. I was driving home from school
24 one day, and I saw an African American lady walking on
25 the side of the road, and it started to rain, so I

1 thought I'd just pick her up and give her a ride to
2 wherever she needs to go. And it was pouring by the
3 time we got to where she needed to go, and
4 (unintelligible) and she said, please don't come in
5 the house and cause trouble. That was 13 years ago,
6 but there seems to be small patches of old school
7 thought. Most of the county is pretty good with
8 respect to race relations.

9 MR. LANNING: Juror 106?

10 JUROR NUMBER 106: I haven't seen a problem, as
11 far as I know. (Unintelligible). Where I've worked
12 here and where I've socialized, I have not see it as a
13 problem. I won't say I live in a community where it's
14 half and half, but I don't see a problem, and I try
15 not to make -- color doesn't make any difference.

16 MR. LANNING: Juror 107, you're a real recent
17 transplant, do you have any experiences here?

18 JUROR NUMBER 107: Well, I come from Brooklyn,
19 and I had projects right up the road from me. When I
20 was younger, I grew up with the African American
21 people. We played ball together, never a problem with
22 me. I was (unintelligible), I had a lot of African
23 Americans working with me, and in the field. And as
24 far as out here, I really don't see that much because
25 I've only been here four years. But in our

1 development, we have a lot of African Americans living
2 there; and on the weekends, we talk, go by the pool,
3 everybody talks to one another. I haven't seen
4 anything or had a problem.

5 MR. LANNING: Have you been here long enough to
6 give an impression? 116?

7 JUROR NUMBER 116: I don't believe I have been,
8 but race is not something I dwell on. When I was a
9 (unintelligible), I probably had 40 percent that was
10 black, and I made an effort to make sure those people
11 got promoted just as -- like anybody else. I always
12 made an effort to make sure everybody was treated
13 fairly, regardless of race, color, or creed.

14 MR. LANNING: 114?

15 JUROR NUMBER 114: Where I live at is across the
16 street from a black person, on the right side of me I
17 have a black person, and I consider them both my
18 friends. In church, I deal with a lot of people; and,
19 yeah, I think we're all people, so I have no problem
20 with race.

21 MR. LANNING: 108?

22 JUROR NUMBER 108: I haven't seen a lot in my
23 experience, and at work.

24 MR. LANNING: 124?

25 JUROR NUMBER 124: I've been here for about 36

1 years, and it has improved immensely. There's still a
2 lot. I think anywhere you go, you're still going to
3 have racism. But I actually had the honor of working
4 in and playing as a kid with different cultures,
5 religions, and races. I was in the military, spent 13
6 months in Korea. I mean, you become a family. You
7 don't think of those things.

8 MR. LANNING: 125?

9 JUROR NUMBER 125: Brevard County, I don't see
10 much of it except for people moving here. A lot of
11 times, they'll start asking things I can't answer,
12 like where to live based on race. But as for people
13 who live here, I don't see it very much. I think
14 Brevard County's doing all right. (Unintelligible).

15 MR. LANNING: Juror 131?

16 JUROR NUMBER 131: (Unintelligible). I've also
17 had the experience of moving to Grand Rapids,
18 Michigan, for example, and having people tell me
19 there's certain parts of that town you don't want to
20 go into just because (unintelligible).

21 MR. LANNING: Juror 136?

22 JUROR NUMBER 136: I don't see that it's a
23 problem. People that I work with and associate with
24 are not racist. My kids have had best friends that
25 are black. (Unintelligible).

1 MR. LANNING: 147?

2 JUROR NUMBER 147: (Unintelligible). I wasn't
3 necessarily raised that way by certain people in my
4 family, but I don't surround myself with people that
5 are racist.

6 MR. LANNING: 198?

7 JUROR NUMBER 198: I've only been in Brevard
8 County a couple years, so I really haven't had any
9 chances to see any kind of racism. We moved into our
10 community, it's a very mixed racial community.

11 MR. LANNING: 205?

12 JUROR NUMBER 205: Yes, sir. I don't -- in my
13 social circle, I don't see that at all.
14 (Unintelligible).

15 MR. LANNING: Between 40 and 50 people, and they
16 live in multiple communities around the county. 196?

17 JUROR NUMBER 196: Yes. I don't see a problem in
18 Brevard County. My friends are (unintelligible).

19 MR. LANNING: 190? You've been here a pretty
20 brief amount of time.

21 JUROR NUMBER 190: I've lived here less than a
22 year. I haven't seen or had any issues with that.

23 MR. LANNING: Juror 177?

24 JUROR NUMBER 177: I haven't seen or heard any
25 issues here in Brevard County. (Unintelligible) and,

1 you know, I'm not prejudiced at all.

2 MR. LANNING: 156?

3 JUROR NUMBER 156: I haven't lived here that long
4 to make this -- you know, for me to know about it.
5 From what I can see from my area, I don't see any
6 whatsoever. I live in a mixed area, and everybody
7 seems to get along.

8 MR. LANNING: Thank you. May we approach?

9 THE COURT: 159?

10 MR. LANNING: Sorry. 159?

11 JUROR NUMBER 159: I don't see it in my daily
12 life, but racism is out there. I have friends of all
13 races, and I had a black roommate in college
14 (unintelligible).

15 MR. LANNING: May we approach?

16 THE COURT: Yes, you may.

17 (Thereupon, voir dire selection was had that was
18 not requested to be transcribed.)

19 THE COURT: Okay. It would be appropriate at
20 this time for us to take a 15-minute break. I guess
21 there is a smoking room downstairs in the grand jury
22 room, I didn't realize that, so I said you could go
23 outside. So why don't you -- I guess it's outside
24 somewhere. Tells you how much time I spend on the
25 first floor. But, anyway, if you're going to take a

1 break, go to the grand jury room. If you want to go
2 to the cafeteria to get something to drink or eat, do
3 that quickly, then report back to the grand jury room.
4 What we don't want you to do is -- we try to keep you
5 somewhat contained and with each other, because we
6 don't want other people in the courthouse to talk
7 about the case in your presence. They're going to
8 know you're jurors, but they may not know you're
9 jurors in this case. So that's the method to our
10 madness, and we're trying to keep you somewhat
11 contained. But I recognize it's been a long
12 afternoon, you might want something to drink. So if
13 you're going to do that, do that quickly. If anybody
14 talks about the case in your presence, you do need to
15 tell them to stop, that you're on the jury that's
16 being considered for the case. If it's an issue, you
17 need to tell one of my court deputies.

18 So we're going to take a break for 15 minutes,
19 get back up here at five til. You must continue to
20 abide by your rules governing your services as a
21 juror. Thank you.

22 THE COURT DEPUTY: All rise.

23 (Thereupon, the venire was escorted out of the
24 courtroom by the court deputy; thereafter, a break was
25 taken in the proceedings.)

1 THE COURT: Okay. We'll bring in the jury panel.

2 THE COURT DEPUTY: All rise.

3 (Thereupon, the venire was escorted into the
4 courtroom by the court deputy and the proceedings were
5 had as follows:)

6 THE COURT: Please be seated. Mr. Lanning, you
7 may continue.

8 MR. LANNING: Hypothetically, if Brandon Bradley
9 made a statement to law enforcement about the event,
10 and gave up his right against self-incrimination, is
11 that something that you would want to see and evaluate
12 in consideration of this case? Members in the box?
13 Ma'am?

14 JUROR NUMBER 1: I'm not sure.

15 UNIDENTIFIED SPEAKER: I would assume it would be
16 relevant, and we should hear it, if that's the case.

17 MR. LANNING: Sir?

18 UNIDENTIFIED SPEAKER: I'd hear it.

19 MR. LANNING: You'd want to?

20 UNIDENTIFIED SPEAKER: Sure.

21 MR. LANNING: Sir?

22 UNIDENTIFIED SPEAKER: I would like you to ask
23 the question again.

24 MR. LANNING: Okay. If Brandon Bradley gave a
25 statement to law enforcement in reference to this

1 event, is that something that you would want to
2 evaluate and hear?

3 UNIDENTIFIED SPEAKER: Can I ask a question in
4 return?

5 MR. LANNING: I might not be able to answer it.

6 UNIDENTIFIED SPEAKER: Were his rights read? Did
7 he give it freely and openly --

8 MR. LANNING: Well, that would be a decision that
9 you would have to make.

10 UNIDENTIFIED SPEAKER: If he gave it freely and
11 openly, I'd like to hear it.

12 MR. LANNING: Sir? Juror 36?

13 JUROR NUMBER 36: Sure.

14 MR. LANNING: 29?

15 JUROR NUMBER 29: Yes.

16 MR. LANNING: 17?

17 JUROR NUMBER 17: I'd like to hear it.

18 MR. LANNING: 16?

19 JUROR NUMBER 16: Yes.

20 MR. LANNING: Sir?

21 (Thereupon, voir dire selection was had which was
22 not requested to be transcribed.)

23 MR. LANNING: I talked about -- I asked whether
24 there was any Constitutional right that you would --
25 that you would be willing to give up. And, first,

1 that question, can you think of any constitutional
2 right that you'd be willing to give up. Juror 1?

3 JUROR NUMBER 1: I'm not sure at this time of
4 what Constitutional right I would give up.

5 MR. LANNING: Okay. What do you think about this
6 idea of, if you had a computer program, or a phone
7 app, that you could just punch in all the data and get
8 a 95 percent accuracy rate on whether that person was
9 guilty or not. What do you think about that?

10 JUROR NUMBER 1: I don't know at this time. I'm
11 sorry.

12 MR. LANNING: Juror 4?

13 JUROR NUMBER 4: Yes, sir.

14 MR. LANNING: Any Constitutional rights that you
15 would --

16 JUROR NUMBER 4: Give away. No, sir.

17 MR. LANNING: Okay. What do you think about the
18 idea of an application that would --

19 JUROR NUMBER 4: I think it's a terrible idea.
20 It doesn't have a heart, it doesn't have a soul, it
21 doesn't have a mind.

22 MR. LANNING: And a built-in 5 percent error
23 rate.

24 JUROR NUMBER 4: I wouldn't want to be tried by
25 that.

1 MR. LANNING: 5?

2 JUROR NUMBER 5: I wouldn't give any rights. And
3 as far as your computer question, I'd be up for it,
4 but you'd have to close the gap on that 5 percent.

5 MR. LANNING: What if I got you up to 98? 2
6 percent. Is 2 percent a decent trade-off?

7 JUROR NUMBER 5: No. They can make things 100
8 percent these days.

9 MR. LANNING: Okay. You're a lot more positive
10 than I am.

11 JUROR NUMBER 5: It's not based, example, emotion
12 or heart or soul, it's based on fact.

13 MR. LANNING: The computer can't see the people
14 testify.

15 JUROR NUMBER 5: Whoever put me in the computer
16 is going to know that.

17 MR. LANNING: 11? What Constitutional right?

18 JUROR NUMBER 11: None. You can keep your
19 computer program.

20 MR. LANNING: Look, it could save you this three
21 weeks, or four weeks. Yes, sir?

22 JUROR NUMBER 4: I don't find my peers being
23 computers, that's the thing. I want to be tried by a
24 jury of my peers, preferably.

25 MR. LANNING: 87, what do you think?

1 JUROR NUMBER 87: As far as the rights, I don't
2 think you should have to give up any right. And with
3 the computer thing, I agree with him, it shouldn't be
4 judging a person.

5 MR. LANNING: Even though it's, you know, going
6 to take several weeks of your time?

7 JUROR NUMBER 87: That's fine.

8 MR. LANNING: Juror 17, what do you think?

9 JUROR NUMBER 17: Well, computers only as good as
10 what you put in, but it can't judge the credibility
11 information.

12 MR. LANNING: And any rights that you would be
13 willing to give up?

14 JUROR NUMBER 17: No.

15 MR. LANNING: Juror 14, how about you?

16 JUROR NUMBER 14: I'm not giving up my rights.

17 MR. LANNING: Juror 89, what do you think?

18 JUROR NUMBER 89: I wouldn't give up any rights.
19 And I would not trust the computer, because the
20 computer -- you can't always trust technology, and all
21 the information given may not be fact. It may be
22 based on judgment or -- so I wouldn't trust a
23 computer.

24 MR. LANNING: Juror 93?

25 JUROR NUMBER 93: (Unintelligible). If someone's

1 on trial for their life, 95 percent, even 98 percent,
2 who knows where technology will take us, but it could
3 get pretty dangerous. (Unintelligible).

4 MR. LANNING: Juror 107?

5 JUROR NUMBER 107: No, I would not either. I
6 would want to be tried by a jury of my peers, people
7 that actually can hear both sides, the evidence, and
8 the law, who will be able to put it together, and
9 decide for themselves either guilt or innocence. I
10 don't believe that the odds are that good, even
11 (unintelligible). This is a serious case.

12 MR. LANNING: Juror 116? You condense all those
13 facts, and it's a little more black and white.

14 JUROR NUMBER 116: The Constitution says you're
15 entitled to have a jury of your peers. A computer's
16 not a peer. And there are no rights I'm willing to
17 give up.

18 MR. LANNING: Yes, ma'am?

19 UNIDENTIFIED SPEAKER: I would say no, there's no
20 rights I would give up. And a computer is only --
21 first of all, it's written by humans, and it's only as
22 good as the human that wrote it.

23 MR. LANNING: 108?

24 JUROR NUMBER 108: I think it's an attractive
25 idea, because you can't guarantee with each of the

1 jurors you choose that you're going to get 95 percent
2 fairness. It would be great if you did, but at least
3 you're guaranteed with a computer. I still don't
4 think it's ideal, because there's 5 percent of the
5 people that are incorrect, but a computer's not swayed
6 by past experiences or prejudices. So it's
7 attractive.

8 MR. LANNING: Okay. Juror 114?

9 JUROR NUMBER 114: I actually think that it would
10 be impossible to come up with an app of this type.
11 Because there's so many things you have to take into
12 consideration, so many things that could have
13 happened. And I think that we're entitled to an
14 unbiased jury trial. And as far as giving rights
15 away, I would never give any of my rights away. And I
16 think everybody is afforded those rights, and they
17 should be.

18 MR. LANNING: Thank you. 198?

19 JUROR NUMBER 198: There's no rights that I would
20 want to give up. And I believe a computer would never
21 have a human aspect to it, and I know that -- I mean,
22 you have a jury of your peers, there's all kinds of
23 information that comes in there when you look at
24 somebody on the stand or whatever, you tell sometimes,
25 most generally, if they're a fair and honest person.

1 That's evidence, and I would never give up -- you
2 know, if it was for me, I would definitely want a jury
3 of my peers, I wouldn't -- I wouldn't ever want a
4 computer to decide.

5 MR. LANNING: Any other thoughts? (No response).
6 May I have a moment?

7 THE COURT: Yes.

8 MR. LANNING: 198, you indicated if
9 (unintelligible) does affect thought, it would tend to
10 indicate everything else that has been said isn't
11 true. (Unintelligible).

12 JUROR NUMBER 198: Okay. He has an absolute --
13 his right is not to testify, and I totally understand
14 that. But when you're presenting your case, and
15 you're going to give us the facts to decide on, then
16 as long as there's nothing that he can add that's
17 going to influence your case, then he -- why would he
18 have to speak for himself? But we still have to be
19 able to hear both sides of the story to be able to put
20 the facts together, and a computer can't do that.

21 MR. LANNING: Now, it's been a lengthy two or
22 three weeks at this point, and there's been a lot of
23 questioning between the judge, the State, and the
24 defense. And over the course of that time, one, is
25 there anybody who believes that we failed to ask that

1 question. You had something in your mind that we
2 didn't cover. If, in the back of your mind, if you're
3 thinking, geez, they need to know that, but nobody
4 ever asked. In the box? (No response). Left side of
5 the courtroom? Juror 105? Did I ask it wrong or --

6 JUROR NUMBER 105: No, no, no. I'm just trying
7 to debate in my mind whether it's worth saying or not.

8 MR. LANNING: It is.

9 (Thereupon, voir dire selection was had which was
10 not requested to be transcribed.)

11 MR. LANNING: Thank you for your attention.

12 THE COURT: Okay. Ladies and gentlemen, as I
13 told you before, we have some matters that we need to
14 address outside your presence, we're going to do that
15 this afternoon, we're going to do that tomorrow
16 morning. I'm going to have you return tomorrow
17 morning to the jury assembly room at 10:00 a.m.
18 During this recess you must continue to abide by your
19 rules governing your service as a juror.
20 Specifically, do not discuss this case among
21 yourselves, or with anyone else, or allow anyone to
22 discuss it in your presence. Do not speak to the
23 lawyers, parties, or witnesses about anything. You
24 must avoid reading newspaper headlines and/or articles
25 relating to this trial or its participants. Avoid

1 seeing or hearing television, radio, or Internet
2 comments about this trial, should there be any. Do
3 not conduct any research yourself regarding any
4 matters concerning this case.

5 Okay. See you at 10:00 a.m. tomorrow morning at
6 the jury assembly room. Okay. Court will be in
7 recess.

8 THE COURT DEPUTY: All rise.

9 (Thereupon, the venire was escorted out of the
10 courtroom by the court deputy; thereafter, court was
11 in recess for the day, 3/17/14.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF BREVARD

I, DIANE LYNCH, Transcriptionist and Notary Public, do hereby certify that I was authorized to and did transcribe the foregoing proceedings via a digital recording; that the transcript is a true and correct transcription to the best of my ability.

I further certify that I am not a relative, employee, attorney, or counsel to any party, nor to the attorneys of said action, nor in any way interested in the outcome thereof.

Dated this 15th day of July 2014.



DIANE LYNCH
Court Reporter